

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

CHARLES GOLBERT, et al., on behalf of)	
themselves and a class of others similarly)	
situated,)	Case No: 18 C 8176
)	
Plaintiffs,)	Hon. Jeffrey I. Cummings
)	Judge Presiding
v.)	
)	Hon. M. David Weisman
BEVERLY J. WALKER, et al.,)	Magistrate Judge
)	
Defendants.)	

JOINT STATUS REPORT

Plaintiffs and Defendants, by their respective undersigned counsel, respectfully submit the following status report regarding the progress of discovery for purposes of class certification briefing, pursuant to the Court's August 4, 2025, order and in advance of the upcoming September 10, 2025 status hearing. (Dkt. 339).

Plaintiffs' expert has been deposed, and Plaintiffs deposed Defendants' two experts.

Plaintiffs wish to disclose a short rebuttal expert by September 19, to be deposed by October 10.

Defendants object to Plaintiffs' request for a rebuttal expert. The depositions of Defendants' experts were taken on July 29, 2025 (Dr. Bethany O'Neill) and July 31, 2025 (Dr. Fred Wulczyn). Plaintiffs' request for a rebuttal expert was due within 30 days of Defendants' disclosure. Fed. R. Civ. P. 26(D)(ii). Any request for a rebuttal expert should have been made within that timeframe. On August 4, 2025, Plaintiffs' counsel advised Defendants' counsel that they were going to seek leave to obtain a rebuttal expert and asked if Defendants would agree. On August 7, 2025, Defendants' counsel advised that they would consider this request and would review any motion prior to filing. Even if this Court were to approve rebuttal expert testimony, Plaintiffs must file a motion for a rebuttal expert. The time frame proposed by Plaintiffs for its

proposed rebuttal expert is likewise unacceptable and would not afford Defendants the time required to review the disclosure and prepare for the deposition. Finally, if Plaintiffs' request is granted, Defendants request leave to disclose a surrebuttal expert and schedule for the disclosure and deposition of a surrebuttal expert.

Dated: September 5, 2025

Respectfully submitted,

/s/Barbara L. Greenspan
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CERTIFICATE OF SERVICE

The undersigned, an attorney, deposes and states that the attached JOINT STATUS REPORT was served upon counsel of record via electronic ECF filing this 5th day of September 2025.

s/Barbara L. Greenspan
Attorney